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In re Application of	:	
MORGAN, et al.	:	DECISION ON RENEWED
U.S. Application No.: 10/030,039	:	
PCT No.: PCT/ZA00/00123	:	PETITION UNDER
Int. Filing Date: 06 July 2000	:	
Priority Date: 06 July 1999	:	37 CFR 1.47(a)
Attorney Docket No.: 4415.18USWO	:	
For: USE OF METATHESIS PRODUCTS OF	:	
FISCHER-TROPSCH PROCESS PRODUCTS	:	

This decision is in response to applicant's "Request For Reconsideration of Petition Under 37 C.F.R. §1.47(a)" filed 21 November 2002 in the United States Patent and Trademark Office (USPTO).

### **BACKGROUND**

On 25 September 2002, applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.47(a) to proceed with prosecution of the application absent an oath or declaration executed by joint inventor Robin John NASH. Applicant was afforded two months to file any request for reconsideration.

On 21 November 2002, applicant responded with the present renewed petition under 37 CFR 1.47(a) accompanied a combined declaration and power of attorney executed by joint inventor Robin John NASH.

### **DISCUSSION**

The renewed petition under 37 CFR 1.47(a) is moot since the declaration filed 21 November 2002 was executed by the previous non-signing inventor, Robin John NASH. However, the declaration filed 26 June 2002 is not acceptable under 37 CFR 1.497 for the reasons explained in the decision mailed 25 September 2002. Applicant is reminded that the previously filed declaration signed by the remaining inventors on their behalf, and on behalf of the non-signing inventor contained two "Pages 4 and 5." This suggests that the enclosed declaration was constructed from numerous complete declarations or that the inventors forwarded to counsel only the signatures pages of the declaration. Either alternative renders the submitted declaration defective under 37 CFR 1.497. While each inventor need not execute the same oath or declaration, where individual declarations are executed, they must be submitted as individual

declarations rather than combined into one declaration. (See MPEP 201.03 B. Oath or Declaration.)

### CONCLUSION

For the reasons above, the Renewed Petition Under 37 CFR 1.47(a) is **DISMISSED as moot.**

A proper response must be filed within **ONE (1) MONTH** from the mail date of this decision or as extended from the time period detailed in the decision mailed 25 September 2002 with a petition for extension of time and payment of the appropriate extension of time fee. Failure to timely file a proper response will result in the application being considered **ABANDONED** as to the United States. The proper response is a declaration executed by inventors Dave Hedley Morgan, Hester De Wet, Jan Mattheus Botha, Sybrandus Kindermans, Alta Spamer, Bongani Nkosi and Muzikayise Mbatha which complies with 37 CFR 1.497.

Any further correspondence with respect to this matter should be directed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, with the contents of the letter directed to the attention of the PCT Legal Office.



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